

Applicant: Malaya Chatterjee, et al.

Docket No.: 304142000221

Serial No.: Unassigned

Filed on: Herewith

For: MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA AND SMALL CELL CARCINOMA

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS 37 C.F.R. § 1.9(f) AND § 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am

- ☐ the owner of the nonprofit concern identified below:  
☒ an official of the nonprofit concern empowered to act on behalf of the concern identified below:

Name of nonprofit organization: The Board of Trustees of the University of Kentucky

Address of nonprofit organization: University of Kentucky Research Foundation  
Intellectual Property Development  
A144 ASTeCC Building  
Lexington, Kentucky 40506

Type of nonprofit organization:

- ☒ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))  
☐ Nonprofit scientific or educational under a statute of a state of the United States of America  
Name of state:  
Citation of statute:  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America  
☐ Would qualify as nonprofit scientific or educational organization under a statute of a state of the United States of America if located in the United States of America  
Name of state:  
Citation of statute:

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA AND SMALL CELL CARCINOMA inventor(s) Malaya Chatterjee, Kenneth A. Foon, and Sunil K. Chatterjee described in:

- ☒ the specification filed herewith.  
☐ application serial no. .  
☐ patent no. issued .

I hereby declare that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME	ADDRESS	TYPE
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:  
 TITLE IN ORGANIZATION OF PERSON SIGNING:  
 ADDRESS OF PERSON SIGNING:

Donald G. Keach  
 Manager, Intellectual Property  
 University of Kentucky Research  
 Foundation  
 Intellectual Property Development  
 A144 ASTeCC Building  
 Lexington, Kentucky 40506

SIGNATURE: Donald G. Keach

DATE: 11/13/96

**DECLARATION FOR UTILITY PATENT APPLICATION**

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA AND SMALL CELL CARCINOMA, the specification of which is attached hereto unless the following box is checked:

☐ was filed on United States Application Serial No. or PCT International Application No. and was amended on

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
08/372,676	1/17/95	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/591,196	1/16/96	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/11/96  
Date

Malaya Chatterjee  
Name: Malaya Chatterjee  
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11/11/96  
Date

Kenneth Foon  
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Citizenship: U.S.  
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11/11/96  
Date

Sunil K. Chatterjee  
Name: Sunil K. Chatterjee  
Residence: Lexington, Kentucky  
Citizenship: U.S.  
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 034 669 704 US

Date of Deposit: April 15, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Denise Lade*

Denise Lade

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Malaya Chatterjee et al.

Serial No.: To Be Assigned

Filing Date: Herewith

For: MONOCLONAL ANTIBODY 1A7 AND  
USE FOR THE TREATMENT OF  
MELANOMA AND SMALL CELL  
CARCINOMA

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Box Sequence  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned hereby states that the content of the attached papers and the computer readable copy of the Sequence Listing, previously submitted in U.S. serial no. **08/752,844**, filed **November 21, 1996**, and identified as 304142000221, submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), respectively, are the same. Please use the computer readable form filed in U.S. serial no. **08/752,844**, filed **November 21, 1996**, for the instant application.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions

and/or other fees due to our Deposit account no. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: April 15, 1999

By: Catherine M. Polizzi  
Catherine M. Polizzi  
Registration No. 40,130

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